

P22034.R01

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

<p>Attorney Docket No. P22034</p> <p>Inventor(s) or Application Identifier: Yoshihiro HAMA, Yasushi SUZUKI, Taminori ODANO, and Susumu MIKAJIRI</p> <p>Title: MULTI-BEAM SCANNING DEVICE</p>	<p>Total Pages</p>
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ADDRESS TO:

**Commissioner for Patents
Mail Stop Patent Application
PO Box 1450
Alexandria, VA 22313-1450**

U.S. PTO
03970 10/6/03
10/6/03
08/27/03

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. a. <input type="checkbox"/> Small Entity Statement(s)</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>52</u>] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <u>7</u>]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>4</u>] a. <input type="checkbox"/> Newly executed (original or copy) <input type="checkbox"/> Unexecuted b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20 completed) [Note Box 6 below] i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 5b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>7. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>8. <input type="checkbox"/> CD-Rom or CD-R in duplicate, large table or Computer Program (<i>Appendix</i>)</p> <p>20. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior Application No. <u>09/619,692</u>, filed <u>July 19, 2000</u>. <i>Prior application information: Examiner: _____ Group Art Unit: _____</i></p> <p>21. <input type="checkbox"/> Amend the specification by inserting before the first line the sentence: This application is a <u>continuation-in-part</u>, <u>continuation</u>, <u>divisional</u>, of Application No. <u>_____</u>, filed <u>_____</u>, filed <u>_____</u>.</p>	<p>9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies</p> <p>10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>11. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>12. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>13. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>14. <input type="checkbox"/> Preliminary Amendment</p> <p>15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>16. <input checked="" type="checkbox"/> Figure of Drawing to be published: <u>2</u></p> <p>17. <input checked="" type="checkbox"/> Foreign priority claimed a. <input checked="" type="checkbox"/> Claim of Priority b. <input type="checkbox"/> Certified Copy of Priority Document(s)</p> <p>18. <input checked="" type="checkbox"/> Assignee: <u>PENTAX Corporation, of Tokyo, Japan</u></p> <p>19. <input checked="" type="checkbox"/> Other: <u>Cover Letter</u> _____ _____ _____</p>

Address all future correspondence to **Customer No. 7055** at the present address of:

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1950 Roland Clarke Place
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8/27/03
Date

*Leslie H. Bernstein Reg. 10
33,329*
Signature

Bruce H. Bernstein, Reg. No. 29,027
Typed or Printed Name



FEE TRANSMITTAL

Complete if Known

Application Number	Not Yet Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Yoshihiro HAMA et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned

TOTAL AMOUNT OF PAYMENT (\$750.00)

Attorney Docket Number P22034

METHOD OF PAYMENT (check one)

FEE CALCULATION (continued)

1. The U.S. Patent and Trademark Office is hereby authorized to charge indicated fees and credit any overpayments to:

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Deposit Account Name GREENBLUM & BERNSTEIN, P.L.C.

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)) Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) Applicant Claims Small Entity Status See 37 CFR 1.27.

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION (fees effective 01/01/03)

1. FILING FEE

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 750.00)

2. CLAIMS

Total Claims	-20=	Extra	Fee from below	Fee Paid
5	-20=	0	x 18	0.00
Independent 1	-3=	0	x 84	0.00
Claims				
Multiple Dependent Claims		0	x 280	0.00

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description
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1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim
1204	84	2204	42	Reissue independent claims over original patent

SUBTOTAL (2) (\$ 0.00)

3. ADDITIONAL FEES

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR	
1805	1,840*	1805	1,840*	Prior to Examiner action	
				Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for response within 1st month	
1252	410	2252	205	Extension for response within 2nd month	
1253	930	2253	465	Extension for response within 3rd month	
1254	1,450	2254	725	Extension for response within 4th month	
1255	1,970	2255	985	Extension for response within 5th month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive unavoidably abandoned application	
1453	1,300	2453	650	Petition to revive unintentionally abandoned application	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of IDS	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) (\$ 0.00)

*Reduced by Basic Filing Fee paid

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name

Bruce H. Bernstein

Reg. Number

29,027

Signature

Date 8/27/03

Deposit Account User ID

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Yoshihiro HAMA et al. Group Art Unit: 2872
Appl. No. : not yet assigned (continuation of Ser. No. 09/619,692) Examiner: Euncha P. Cherry
Filed : concurrently herewith
For : MULTI-BEAM SCANNING DEVICE

COVER LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir :

Prior to the examination on the merits of the continuation application filed concurrently herewith, the Examiner is respectfully requested to consider the following comments.

In the parent patent Application No. 09/619,692, which contained subject matter embodied in the claims of the present application, the Examiner indicated, in an Advisory Action dated April 30, 2003 that, *inter alia*, the question of new matter has been raised, in certain rejected claims. In particular, the Examiner indicated that Applicants have introduced the question of new matter by utilizing the term "deflects" rather than "reflects". However, Applicants respectfully submit that the noted language raises no question of new matter inasmuch as the term "deflects" includes (e.g., deflection of an optical path due to) reflection by a mirror.

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Notwithstanding the above, Applicants have amended the claims of the instant application for consideration to eliminate the term "deflects" merely to simplify the outstanding issues.

Should the Examiner have any questions or comments regarding the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Yoshihiro HAMA et al.


Bruce H. Bernstein Reg. No.
33,329
Reg. No. 29,027

August 26, 2003
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